



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: April 25, 2017

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

1. ROLL CALL

Roll Call showed 9 present.

Mayor Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for Edward “Bud” Slattery.

2. CITY CLERK

2.1. Minutes of City Council Meeting April 11th, for acceptance.

In City Council, minutes read, **Motion** “To accept and place on file” by C. Mercier, seconded by C. Rourke. So voted.

3. COMMUNICATIONS FROM CITY MANAGER

3.1. Motion Responses

In City Council, read, **Motion** “To accept and place on file” by C. Leahy, seconded by C. Mercier. So voted.

A) Parking Regulations near Mt. Vernon and Varney Streets. – No comments.

B) Parking Solution at Eleventh and Beacon Streets. – No comments.

C) Speed Limit East Merrimack Street. – C. Leahy questioned the speed limit. Nicolas Bosonetto (Traffic Engineer) commented on Mass General Laws which allows City Council to set speed limits in the City at a minimum of 25 MPH. C. Mercier requested if it could go lower.

D) June Street Paving. – C. Leahy noted the need to fund the paving. Manager Murphy



noted it would come from capital budget as many other streets will be funded same way. C. Leahy noted possible business contribution for paving.

E) Swan Street Paving. – No comments.

F) Update on the Disposition of the Soucy Parcel. – C. Samaras commented on request for proposal for housing. Manager Murphy noted changes in economic dynamic would tend to look at commercial venture for parcel as well and that the Acre plan could be changed to allow that use as well. C. Belanger noted it was good that private sector has a chance to secure the property.

G) Condition of Willard Street. – C. Leahy noted poor condition of the road. Manager Murphy noted plan to pave the whole area.

H) Funding for Kerouac Festival. – C. Belanger noted increase in budget for event.

I) Possible Use of iPads. – No comments.

J) Hamilton Innovation District EDA Sign and Infrastructure. – C. Leary commented on the process moving along. Manager Murphy recognized the efforts of Rep. Tsongas and further noted that federal agencies were satisfied with efforts to get Master Developer on the project.

K) Lawrence Street Bridge. – C. Leahy noted construction start date. Manager Murphy commented on speed of construction schedule.

L) Procedures on Eminent Domain Cases. – c. Mercier questioned judgment language. Christine O'Connor (City Solicitor) noted payment of interest on any judgments against the City. C. Samaras commented on the process. Atty. O'Connor outlined process noting taking would not be defective but there could be a dispute as to value. C. Milinazzo noted he could only recollect on issue with these cases throughout the years and that they are usually done professionally. C. Belanger questioned prior Lichalous taking. Atty. O'Connor commented on the issues of that case and how they were resolved. C. Elliott requested recap of past ten years for eminent domain cases.

M) Report on Annual Lien Auction. – C. Mercier commented on delinquent property owners and the negative effect on neighborhoods and that this auction gets money into system to clean-up areas.



3.2. Informational

N) Informational - Market, Cabbot and Merrimack Street Project. – C. Belanger noted the development of that area in the Acre. Manager Murphy commented he would be meeting with developer regarding plans. C. Leahy noted the need for parking plans. Manager Murphy noted it was only conceptual plans at this point and that commercial element would be preferred. C. Belanger noted the need to develop job opportunities in that area.

3.3. **Communication-Reappoint James F. O'Donnell to Lowell Memorial Auditorium**

In Council, **Motion** to adopt by C. Leary, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

3.4. **Communication-Reappoint William D. Sheehan Jr. to Council on Aging**

In Council, **Motion** to adopt by C. Mercier, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

3.5. **Communication - City Mgr. request Out of State Travel (1) DPD.**

In Council, **Motion** to adopt by C. Rourke, seconded by C. Leary. Adopted per Roll Call vote 9 yeas. So voted.

4. **VOTES FROM THE CITY MANAGER**

4.1. **Vote-Transfer \$35,000 to cover cost of assessment center testing for Captains and Lieutenants**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

5. **REPORTS (SUB/COMMITTEE, IF ANY)**

5.1. **Finance SC April 24, 2017.** – C. Elliott provided report outlining attendance and discussion of Lowell High School project costs on residential taxes. **Motion** by C. Elliott, seconded by C. Leary to have City Manager prepare report outlining the procedure for debt exclusion and the advantages and disadvantages of same as well as providing recommendation on its use regarding funding. So voted. **Motion** by C. Elliott, seconded by C. Leary to have CFO provide a report with estimated property values and tax bills at the time that any loan order for high school comes on the books. So voted. C. Elliott commented on home values and how the tax burden imposed on them and that the project may have to be scaled down to ease such tax burdens. C. Leary noted



the debt exclusion plan should be further studied. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Belanger. So voted.

5.2. Downtown Redevelopment SC April 25, 2017. – C. Milinazzo provided report outlining attendance and discussion of Lowell House, Inc. sober housing plan. C. Milinazzo noted the subcommittee recommended the project as presented for approval before full Council. **Motion** by C. Milinazzo, seconded by C. Rourke to support Lowell House, Inc. sober living project as presented. Adopted per Roll Call vote, 9 yeas. So voted. C. Elliott noted project has improved moving forward and that is why he supports it as it will be good for City. C. Belanger noted project has moved forward and that project will be good for recovering addicts. C. Mercier noted support from outset as she noted confidence in the organization. C. Samaras recognized partners in the project. C. Rourke supports project but noted better fit would be to have services available on site. **Motion** to accept the report as a report of progress by C. Milinazzo, seconded by C. Rourke. So voted.

C. Rourke noted upcoming joint Flood Issues and Neighborhoods SC meeting at the Wang School

6. PETITIONS

6.1. Claim - (1) Property.

In Council, **Motion** to refer to Law Department for report and recommendation by C. Belanger, seconded by C. Leahy. So voted.

M. Kennedy bundled and provided first reading for the following National Grid and Verizon petitions without objection and noted that item #6.3 was withdrawn.

6.2. National Grid - Request installation of joint owned wood pole and anchor on Gorham Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 16, 2017 at 7 PM by C. Leahy, seconded by C. Leahy. So voted.

6.3. National Grid - Request installation of new gas main on Hildreth Street.

Withdrawn.



6.4. National Grid - Request installation of underground conduit on Thorndike Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 16, 2017 at 7 PM by C. Leahy, seconded by C. Leary. So voted.

6.5. National Grid/Verizon - Request installation of joint owned wood pole and anchor on Viola Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 16, 2017 at 7 PM by C. Leahy, seconded by C. Leary. So voted.

6.6. National Grid/Verizon - Request to install joint owned wood poles and anchors to accommodate Market Street Bridge reconstruction.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on May 16, 2017 at 7 PM by C. Leahy, seconded by C. Leary. So voted.

7. CITY COUNCIL - MOTIONS

7.1. C. Leahy - Req. City Mgr. have DPW inspect Butman Road from Hovey Street to Rogers Street for the purpose of clean-up of the road and sidewalks; including trimming back of any trees that may need it.

In City Council, seconded by C. Leary, referred to City Manager. So voted. C. Leahy noted some safety issues and neighbor concerns.

7.2. C. Leahy - Req. City Mgr. provide City Council with a street paving plan for major roads throughout the City, including the downtown area.

In City Council, seconded by C. Leary, referred to City Manager. So voted. C. Leahy noted the need to get program started.

7.3. C. Leahy - Req. City Mgr. provide update regarding construction at the Broadway Street Bridge.

In City Council, seconded by C. Leary, referred to City Manager. So voted. C. Leahy noted there is some frustration over the construction.



7.4. C. Mercier - Req. City Mgr. work with the Vurgaropulos family to erect appropriate signage on the Vurgaropulos Bridge.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. C. Mercier noted history of family and the need to update the information to be James C. and John C. who both died in line of duty. C. Mercier noted it was a State road and that the sign should include gold stars.

Under Suspension of the Rules without objection following motion was brought forward: **Motion by C. Mercier, seconded by C. Leary to request City Council by way of a Resolution support condemning of human rights violations happening in Cameroon. So voted. Referred to Law Department to draft resolution.**

7.5. C. Milinazzo - Req. City Mgr. report on the Business Tax now being assessed to the artists at Western Avenue Studios.

In City Council, seconded by M. Kennedy, referred to City Manager. So voted. C. Milinazzo commented on tax and impact on the artists. C. Belanger questioned tax. Manager Murphy noted tax was on personal property. C. Elliott noted need to protect small businesses and that there should be fairness across the board with perhaps a threshold. Manager Murphy noted they could be some exemptions. C. Leary commented on business being run out of pocket or home.

7.6. C. Samaras - Req. City Mgr. have DPD prepare a plan that would create a student zone (a university district that is student friendly).

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras commented on creating a student zone to cater to them as opposed to creating a college town.

7.7. C. Belanger - Req. City Mgr. have proper department evaluate speeding on Draper St. and Arbor Rd. and take any appropriate action to address issue.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Belanger noted a number of complaints in residential and school areas.



7.8. C. Belanger - Req. City Mgr. provide a report from the Cultural Affairs Special Events (CASE) outlining upcoming special events in 2017.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Belanger looking to see what is lined up for remainder of the year.

7.9. C. Leary - Req. City Mgr. invite the Markley Group and Verizon to the Technology & Utilities SC in order to discuss commercial and residential high speed internet connectivity options.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted that Verizon could be used as asset for the City and would be vital for high speed internet in the Hamilton Canal District.

7.10. C. Leary - Req. City Mgr. report on the status regarding the neglected home located at 51 Wedge Street.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted long standing issue. C. Mercier made note of vacant lot in need of attention. C. Rourke commented on Stevens Street property in disrepair.

7.11. C. Leary - Req. City Mgr. review the feasibility of creating an application ("APP") in order to determine the availability of parking spaces within the City owned parking garages and public parking on streets.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted available technology. C. Elliott commented on use by the City of Boston. Manager Murphy noted they were reviewing the technology. C. Belanger noted that the focus should be on filling the public garages in the City. C. Leary noted convenience with the technology. C. Elliott questioned use of City garages. Manager Murphy noted a report outlining same would be before a subcommittee shortly.

7.12. C. Rourke - Req. City Mgr. have Inspectional Services provide report updating the repairs being done on properties at 138 and 200 Cross Street.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. C. Rourke noted properties were in bad shape and need attention.



7.13. C. Rourke - Req. City Mgr. review procedures of the Board of Parks for implementation and/or waiver of fees for use of fields for local groups.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Rourke noted the need to assist local youth programs with use of fields. C. Leahy commented on use of fields in the past. C. Mercier noted her concern for fees. C. Elliott noted fees on these organizations were not fair. Manager Murphy noted he would issue report concerning fees and what they are used for and make adjustments if warranted. C. Samaras noted City should cover costs for local groups using fields. C. Leahy noted that no fees should be in place for practice fields. C. Belanger noted these groups were all volunteers and that there should be no fee.

7.14. C. Rourke - Req. City Mgr. update Council regarding DPW needle pick-up program.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Rourke commented on training of workers in this area. C. Leahy noted training is a must in dealing with needles.

7.15. M. Kennedy - Req. City Mgr. review possible installation of a sidewalk on Stedman Street in the vicinity of 22 Olde Canal Drive.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Kennedy noted motion was self-explanatory. C. Mercier commented on methadone clinic in the area and the restrictions they are dealing with.

8. ANNOUNCEMENTS

None

9. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Samaras. So voted.

Meeting adjourned at 8:27 PM.

Michael Geary, City Clerk